

**HIGHER EDUCATION** - City University of New York.

**HOUSING AND BUILDINGS** - Department of Housing Preservation and Development, Department of Buildings, NYC Housing Authority, and rent regulation.

**IMMIGRATION** - Mayor's Office of Immigrant Affairs and other matters affecting immigration.

**JUVENILE JUSTICE** - Department of Juvenile Justice.

**LAND USE** - City Planning Commission, Department of City Planning, Department of Information Technology and Telecommunications, Landmarks Preservation Commission, land use and landmarks review.

**LOWER MANHATTAN REDEVELOPMENT** - Issues related to the redevelopment of lower Manhattan and the World Trade Center Site.

**MENTAL HEALTH, MENTAL RETARDATION, ALCOHOLISM, DRUG ABUSE AND DISABILITY SERVICES** - Department of Health and Mental Hygiene for issues of mental health, mental retardation and alcoholism services and Mayor's Office for People with Disabilities.

**OVERSIGHT AND INVESTIGATIONS** - To investigate any matters within the jurisdiction of the Council relating to property, affairs or government of New York City, and the Department of Investigation.

**PARKS AND RECREATION** - Department of Parks and Recreation.

**PUBLIC SAFETY** - Police Department, Courts, District Attorneys, Special Narcotics Prosecutor, Civilian Complaint Review Board, Criminal Justice Coordinator, and Emergency Management Department (OEM).

**RULES, PRIVILEGES AND ELECTIONS** - Council structure and organization and appointments.

**SANITATION AND SOLID WASTE MANAGEMENT** - Department of Sanitation.

**SMALL BUSINESS** - Matters relating to retail business and emerging industries.

**STANDARDS AND ETHICS** - Conflicts of Interest Board and Council Ethics.

**STATE AND FEDERAL LEGISLATION** - Federal legislation, State legislation and Home Rule requests.

**TECHNOLOGY IN GOVERNMENT** - Department of Information Technology and Telecommunications (non land use related issues), and dissemination of public information through use of technology

**TRANSPORTATION** - Mass Transportation Agencies and facilities, Department of Transportation, New York City Transit Authority, Taxi and Limousine Commission.

**VETERANS** - Mayor's Office of Veterans Affairs and other veteran related issues.

**WATERFRONTS** - Matters relating to the waterfront.

**WOMEN'S ISSUES** - Issues relating to public policy concerns of women, domestic violence, Office to Combat Domestic Violence, and Agency for Child Development.

**YOUTH SERVICES** - Youth Board, Department of Youth and Community Development, Interagency Coordinating Council and youth related programs.

b. Each standing committee shall be composed of no fewer than five members.

c. The Speaker may create such subcommittees or special committees as he or she deems necessary and appropriate.

7.10. **Ex-Officio Members** - The Public Advocate, Speaker, Majority Leader and Minority Leader shall be ex-officio members of all committees.

7.20. **Chairperson; Committee Members** - The first-named member of each committee shall be the chairperson and each committee member shall thereafter be listed in order of their seniority within the dominant political party. All vacancies in committees shall be filled within sixty days and committee chairs shall be filled within ninety days by report of the Committee on Rules, Privileges and Elections and adopted by the Council.

7.30. **Duties** - Pursuant to Section 29 of the City Charter, the appropriate committees shall perform legislative oversight of functions on a regular basis, including but not limited to review of agency policies, programs and management, making recommendations to the Finance Committee on agency budget requests, formulating an agenda for inquiry and investigation, holding hearings and meetings on pending legislation and developing legislative programs. Each standing committee shall hold oversight hearings on the Mayor's Management Report with respect to those agencies within the committee's jurisdiction.

7.40. **Staff** - Each standing committee shall have at least one full-time staff person assigned to it, as practicable. The senior staff person assigned to each committee shall be designated by the chairperson of such committee.

7.50. **Meetings** - a. All committee meetings shall be held at the call of the chairperson of the committee. The majority of any committee may petition, in writing, the chairperson of said committee to call a meeting to consider the subject matter of such petition. If the chairperson of

said committee fails to call such meeting within ten days from the receipt of said petition, said majority may petition, in writing, the Speaker, who shall issue such call.

b. No committee meeting shall be convened on the day of a stated or special meeting of the Council unless the item to be considered by such committee, will, out of necessity, be proposed as a General Order for that day or such committee meeting is called with the consent of two-thirds of the members of such committee.

c. Each standing committee, except for the Committees on State Legislation, Standards and Ethics, Oversight and Investigations, and Rules, Privileges and Elections shall meet no less than once a month except during the months of July and August. Subcommittees or special committees shall meet as needed to complete their work.

d. Committees shall provide reasonable advance notice at least seventy-two hours where practical of committee meetings to the public. Such notice shall be given to the news media and shall be posted in a public location at City Hall and the web site.

e. Written agendas for committee meetings shall be prepared and distributed, as complete as practicable, to all members of the committee at least five days prior to the call of such meeting.

7.60. Public Hearings - A committee chairperson may call public hearings on any matter referred to such committee, and at such public hearing shall maintain decorum. The chairperson shall have general control over the Chamber, lobbies, rooms and corridors in that part of the building assigned to the committee. The chairperson may allow public testimony on any item being considered by the committee at that hearing.

7.65. Prohibition on the Use of Mobile Telephones - The Council prohibits the use of all mobile telephones during the course of committee meetings. The committee chairperson shall enforce this Rule during the course of committee hearings by directing that all mobile telephones be silenced or placed on vibrate at the start of such committee meeting, and that they not be in use during the meeting until its conclusion.

7.70. Required Voting – a. All committee determinations, except as provided for in Rule 8.50 b., shall be on roll call vote of the majority of the entire committee, including determination on matters requiring a greater vote for final passage by the Council. All votes shall be cast in person and in open session, except that the Committee on Standards and Ethics shall be authorized to record its vote while in executive session to consider a disciplinary matter pursuant to the provisions of section 105 of the Public Officers Law. Except for a voice vote as authorized by Rule 8.50 b., the result of each roll call vote, taken during any meeting of a committee, the name of each member voting for and each member voting against the matter, and the names of those members present but not voting shall be made available by the Legislative Document Unit for inspection by the public at reasonable times. Members may submit to the committee a written explanation of their absence from a committee meeting, which shall become part of the record of such meeting.

b. Resolutions will be acted upon by a roll call vote, unless, at the discretion the Chairperson of the Committee to which it was assigned and with approval of the Speaker, such matter maybe acted upon through a voice vote, once a quorum of the Committee Members are present. If approved by voice vote, such vote will be recorded by the Legislative Document Unit as being, "adopted by the committee". Committee Members may have a "no vote" or "abstention" recorded by the Legislative Document Unit, by specifically requesting such from the Chairperson, at the time of the voice vote.

7.80. Reports of the Council Committees - Each committee shall report, in writing, on all matters that receive a hearing before it, with a brief statement of facts and its opinion in relation thereto, proposing the necessary action by the Council, except that a report of the Committee on Standards and Ethics on a disciplinary matter regarding a particular person shall also contain the findings of fact reached after conducting a review or hearing and upon which the Committee bases its recommendations. The report itself shall not be subject to amendment.

Every report shall state the time when the subject matter of such report was referred to the committee by the Council, and the action, if any, taken by the committee pursuant to any instructions of the Council.

When a majority of a committee has reported to the Council its recommendation concerning a proposed local law, resolution or other matter, any member or members who have voted in the minority may present a minority report. All such majority and minority reports shall be in writing and signed by the members of the committee voting either in favor of or against the report as the case may be. The minority report shall not be deemed to reflect the legislative intention of the committee or the Council.

7.90. Committee Action - A committee may recommend to the full Council the passage, adoption, approval or filing of any proposed local law or resolution or any other matter referred to it for consideration. The question of the action to be taken by the committee shall be put by the chairperson upon motion of any member, which motion shall not require a second. If a majority of the members of the committee vote affirmatively, such proposed local law, resolution or other matter shall be reported forthwith to the Council. If a majority of the members of the committee vote negatively on such question, such proposed local law, resolution or other matter shall be continued on the committee calendar until disposed of. If the committee recommends that a matter be filed, upon an affirmative vote by the Council to file, the matter shall be removed from the Council Calendar. The vote on all matters before the committee shall be recorded in the minutes of the committee meeting and made available to the public. Members may submit to the committee a written explanation of their absence from such vote, which shall become part of the record of that committee meeting during which the vote was taken.

7.100. Sponsor's Privilege - The first-named sponsor of a proposed local law or resolution referred to a standing committee may, at least 60 days after introduction, petition the chairperson to schedule a committee meeting to consider such proposed local law or resolution. A meeting shall then be scheduled within 60 days of such petition for the purpose of determining future action. At such meeting, the sponsor shall be the first heard in support of such proposed local law or resolution. The committee shall either vote thereon or schedule a hearing to be held within 30

days, at which hearing a vote shall be taken if the sponsor so requests. If a proposed local law or resolution is reported favorably by a committee and the Council does not, within 45 calendar days of such report, vote on a motion to adopt, lay upon the table, postpone, refer or recommit such proposed local law or resolution, it shall be in order at any stated Council meeting occurring after the expiration of the 45-day period for the sponsor of such proposed local law or resolution to move for immediate consideration of such proposed local law or resolution.

7.110. Rights of Ex-Officio Members - Ex-Officio members of committees may ask questions and make statements, but shall not have the right to vote.

7.120. Participation at Committee Meetings - Committee members may question witnesses, vote, make statements and otherwise participate in the work of a committee as a matter of right. Such Council staff as may be designated by the chairperson may also question witnesses. Non-committee members may question witnesses and make statements at committee meetings, except that, while in executive session considering a disciplinary matter, the Committee on Standards and Ethics shall limit attendance and participation to Committee members, the subject of such matter, witnesses, and certain designated Council staff only.

7.130 Discharge of Committee - A committee may be discharged from further consideration of any matter referred to such committee, by a majority vote of the Council. The first sponsor of a proposed local law or resolution shall give written notice at least seven business days in advance, to the committee chairperson and the Speaker of the intention to so move at the next Council meeting. Such notice shall be accompanied by a memorandum in support of the motion to discharge, which shall be signed by at least seven members, including the first sponsor.

No proposed local law or resolution that has been approved by the Council for discharge from committee shall be voted upon at the same meeting at which the vote on the motion to discharge occurred. In the event that any amendment to a proposed local law or resolution is adopted, the proposed local law or resolution shall be referred back to the committee from which it was discharged.

Once a matter has been referred to a committee, it shall not be acted upon by the Council until the committee has reported thereon or has been discharged. Notwithstanding the foregoing, a committee to which there has been referred any matter which, by law, must be considered and acted upon by the Council within a fixed period of time, shall, at the last stated meeting of the Council preceding the expiration of such time, be deemed to be discharged from further consideration thereof. A committee which has been instructed to report at a certain meeting shall be deemed to be discharged from further consideration of the matter referred to it, unless it makes a report at such meeting or receives from the Council a further extension of time to report.

7.140. Committee Rules - The Rules of the Council, as far as applicable, shall govern all committees of the Council.

7.150. Subpoenas - The chairperson of a standing committee, upon majority vote of said committee, or the Speaker, may sign a subpoena requiring a person to appear before the

committee to be examined in reference to any matter within the scope of the inquiry or investigation being conducted by the committee or requiring the production of books, accounts, papers and other evidence relative to the inquiry. The Speaker may sign a subpoena on behalf of a select committee or legislative panel. In the case of a subcommittee, the chairperson of the standing committee of which the subcommittee forms a part, upon majority vote of said standing committee, or the Speaker, may sign a subpoena.

7.160. Allowances - Allowances to committee chairpersons and other officers of the Council shall be fixed by resolution, after a hearing, for the particular and additional services and duties of such positions. No member may simultaneously receive more than one chairperson allowance, notwithstanding the fact that he or she may concurrently chair more than one committee or subcommittee. Nothing in this rule shall prohibit additional allowances for other than chairperson positions.

7.170. Executive Session - Each committee may meet in executive session pursuant to the New York State Open Meetings Law.

## CHAPTER VIII STATED MEETINGS - PROCEDURE

8.00. Order of Business - The order of business shall be as follows, unless otherwise directed by the Council:

1. Roll Call
2. Invocation
3. Adoption of the Minutes
4. Messages and Papers from the Mayor
5. Communications from City, County and Borough Offices
6. Presentation of Petitions and Communications
7. Land Use Call-Ups
8. Communications from the Speaker
9. Discussion of General Orders
10. Reports of Special Committees
11. Reports of Standing Committees

12. General Orders and other Pending Matters
13. Introduction of Local Laws and Resolutions
14. Discussion of Resolutions
15. Resolutions
16. General Discussion
17. Extension of Remarks

Messages from the Mayor may, however, be received at any time. It shall always be in order to move to recall a local law from the Mayor or call up for consideration a report from the Committee on Rules, Privileges and Elections.

8.10. Home Rule Requests; How Presented - Any resolution presented to the Council calling upon the legislature of the State of New York to pass a specific bill pending before such legislature shall be filed with the Legislative Document Unit together with ten copies of the State bill.

8.20. Admission to Floor of Council Chamber - No person shall be admitted to the floor of the Council Chamber during the sessions except:

- a. The Mayor or the Deputy Mayors.
- b. The employees of the Council and the Clerk of the Council and his or her employees as are required by the Council to assist in the performance of its functions.
- c. Heads of City departments and agencies, when their presence is requested or required by the Council.
- d. Reporters of public newspapers in the section of the Chamber assigned for their use.
- e. Such other persons as may by resolution of the Council be authorized to be present, or may by regulations be granted the courtesy of admission to the floor.

8.30. Order of Calling the Roll - The roll call of the Council shall be in alphabetical order, then the Minority Leader, Majority Leader and the Speaker.

8.40. Voting - a. All votes cast at stated, charter and special meetings of the Council shall be in person. When hearing their names called, Members may pass their voting turn for up to two times, but must have their vote recorded when called a third time.

b. Resolutions placed on the Resolution section of the Stated Meeting agenda shall be acted upon by voice vote. If adopted, such vote will be recorded by the Legislative Document

Unit as being, "adopted by action of the council". Council Members may have a "no vote" or "abstention" recorded by the Legislative Document Unit at the time the matter is acted upon, by specifically requesting such from the Presiding Officer, at the time of the voice vote.

8.50. Consideration of Resolutions - a. No resolution shall be adopted on the day of its introduction, unless it has been considered and approved by the Committee to which it was referred.

b. Upon introduction, all Resolutions shall be referred to a Committee. Certain qualified Resolutions, which must contain subject matter having time sensitive considerations or are general in application, may be designated jointly by the Chairperson of the Committee to which it was assigned and the Speaker, as an "8.50 b. Resolution". Such designation, where practical, will allow for a prompt hearing by the Committee to which it was assigned. At a prompt hearing, the Sponsor of such Resolution shall move the Committee, when a quorum is present, for its immediate consideration of the matter before it, by providing the Committee with a brief description of the merits of such Resolution. Witness testimony shall be prohibited. At the conclusion of the Sponsor's statement, the Committee Chairperson shall close the hearing on this matter and, pursuant to Rule 7.70, at his or her discretion, move to approve the matter either by roll call vote or voice vote of the Committee Members. Resolutions that have not received an 8.50 b. designation shall continue to be considered under applicable Rules.

c. A Committee approved Resolution, at the discretion of the Speaker, can be placed either on the General Orders section of a Stated Meeting agenda, where it will be included as part of the roll call vote, or on a separate section of a Stated Meeting agenda referred to as, "Resolutions", which shall follow, "Discussion of resolutions", pursuant to Rule 8.00, for action by the Council. Resolutions assigned to this section of the agenda will be considered individually and voted on, by voice vote, with no debate or amendment. If adopted, such vote shall be recorded by the Legislative Document Unit as being "adopted by action of the council". Individual Council Members may have a "no vote" or "abstention" recorded at the specific time the resolution is acted upon by requesting such of the Presiding Officer.

8.60. Presence of Quorum; Member Silent on Roll Call - Whenever any member raises the question as to the presence of a quorum, the presiding officer shall forthwith direct the Legislative Document Unit to call the roll, and shall announce the result, and such proceedings shall be without debate; but no member, while speaking, shall be interrupted by raising the question of absence of quorum, and such question shall not be raised more than once every hour, unless the absence of a quorum be disclosed upon a roll call. Whenever, upon a roll call, any member present refuses to make an affirmative response, it shall be the duty of the presiding officer, either upon said officer's own motion or upon the suggestion of any member of the Council, to request the member so remaining silent to respond as "present", and if such member fails to do so, the fact of such request and the refusal shall be entered in the minutes and such member shall be counted as present for the purpose of constituting a quorum.

A majority of all Council Members shall constitute a quorum.

8.70. Call of the Council - For the purpose of securing the attendance of members, a call of the Council may be ordered at any time, except that no such call shall be in order when the voting on any question has begun unless it shall appear upon an actual count by the presiding officer that a quorum is not present. If demanded by two members, the roll call shall be called upon a demand for a call of the Council, and if a majority be recorded in the negative, a call of the Council shall not again be in order except by unanimous consent until an hour has elapsed.

## CHAPTER IX GENERAL PROCEDURE FOR STATED MEETINGS AND COMMITTEE HEARINGS AND MEETINGS

9.00. Absent Members; Opportunity to Indicate Position on Roll Call - Any member may submit to the Legislative Document Unit a written explanation of his or her absence from a stated meeting which shall become part of the record of such meeting. Any member absent from a particular meeting or part thereof who wishes to have indicated in the record a position on a specific issue may do so by communicating the wish to the Legislative Document Unit prior to the announcement of the result of such vote. Such indication in the record shall not be deemed a vote but shall become part of the proceedings.

9.10. Local Laws Disapproved by the Mayor - Proposed local laws returned with the disapproval of the Mayor shall be referred to committee by the Speaker. The Legislative Document Unit shall enter the objections of the Mayor thereto in the minutes of the Council.

A majority vote of the committee is necessary to report the matter favorably to the Council, and the Council shall then proceed to consider the question, "Shall the bill pass, the objection of the Mayor notwithstanding?"

9.20. Precedence of Motions - When a question is before the Council, only the following motions shall be received, which shall have precedence in the following order:

- (1) for adjournment;
- (2) for a recess;
- (3) for a quorum call of the Council;
- (4) to lay on the table;
- (5) to postpone indefinitely;
- (6) to postpone to a day certain;
- (7) to refer or recommit;
- (8) to amend;
- (9) for the previous question.

9.30. Second Not Required - Motions made by any member of the Council, whether at a meeting of the Council or in committee, shall not require a second.

9.40. Motion to Amend to be in Writing – a. At a Stated Meeting, any Member may offer an amendment to legislation that is being considered for a vote on the General Orders Calendar. Before any motion to amend a proposed local law or resolution is debated, it shall be reduced to writing, delivered to the Legislative Document Unit and read. After the reading, the Member shall have up to two minutes to explain the amendment. Members wishing to participate in the debate shall also be entitled to up to two minutes. At the conclusion of debate, the proposed amendment shall be voted on and if approved, shall be added to the original legislation which would be laid over for a vote at a later Stated Meeting. If more than one amendment is made, they shall be considered in the order made. If the amendment is voted down, the original legislation shall then be voted on.

b. All motions to amend the expense or capital budgets must be in writing.

9.50. Matters Always in Order - A motion to adjourn, for a recess, for a quorum call of the Council, or to lay on the table, shall be decided without debate, and shall always be in order. Upon such motion, no member shall be allowed to explain a vote or give the reasons for asking to be excused from voting. No vote shall be reconsidered upon a motion to adjourn.

9.60. Separate Questions - Any member may request that a proposed local law, resolution or other item be separated from other general orders for consideration and vote prior to commencement of the vote on the general order calendar.

9.70. Debate Precluded - A motion to postpone or refer shall, until it is decided, preclude all debate on the main question.

9.80. Vote Required - A quorum being present, a majority of those present at a Council meeting shall be sufficient to decide a motion, including all appeals from rulings of the chair or other points of order or procedure.

9.90. Withdrawal of Motions - A motion may be withdrawn by the maker of said motion at any time before decision or amendment.

9.100. Adjournment - Except by unanimous consent, a motion to adjourn shall be put to a roll call vote.

9.110. Motion to Amend - A motion to amend an amendment, shall be in order, but one to amend an amendment to an amendment shall not be entertained.

An amendment modifying the intention of a motion shall be in order; but an amendment relating to a different subject shall not be in order.

On an amendment to "Strike out and insert," the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

9.120. Members to Speak Only from Seat; Demand for Roll Call - No member may rise to debate, make a motion or present a petition or paper unless in his or her regular place, and until such member has been recognized by the presiding officer. While a member is speaking, no other member shall create a disturbance in any manner. Once the result of a *viva voce* vote has been announced by the presiding officer, a roll call vote shall be ordered only upon the demand of at least two members.

9.130. Call for Absentees - When a roll call has been ordered, absentees shall not be called more than once, unless requested by at least five members.

9.140. Discontinuance of Roll Call - After two roll calls for absentees, a motion to discontinue the roll call shall be in order and may be adopted by a majority vote.

9.150. Ten Minute Rule - a. A member shall not speak more than once at a stated meeting on the same general question until every other member desiring to be heard upon the question has spoken. A member shall speak upon any matter for no more than ten (10) minutes at any time, except by permission of a majority of the members of the Council.

b. A member shall not speak on any matter at a stated meeting more than three (3) times, except by permission of a majority of the members of the Council.

9.160. Two Minute Rule - a. A member desiring to be excused from voting, or to explain a vote at a stated meeting may, when his or her name is called, make a statement for no more than two minutes, of the reasons for making such request, or for voting in such a manner, provided that if such member has engaged in debate under the ten (10) minute rule, he or she may not explain his or her vote.

b. Only one sponsor of a matter, at the time of introduction, shall have the privilege to speak thereon but he or she shall not speak for more than two minutes.

9.170. Reconsideration of a Question - When a question has been decided, it shall be in order for any member of the Council who voted in the majority, to move for its reconsideration, and it shall be reconsidered upon majority vote of all members present and voting, except that no matter shall be reconsidered more than twice. No motion for the reconsideration of any vote shall be in order after the proposed local law, resolution, message, report, amendment or motion upon which the vote was taken shall have gone out of possession of the Council; and no motion for reconsideration shall be in order unless made on the same day on which the vote was taken, at the stated meeting next succeeding, or if the Mayor has disapproved a local law, within thirty days after the Clerk of the Council has presented the Mayor's written objections to the Council pursuant to subdivision b of section 37 of the Charter. When a proposed local law or resolution shall have been recalled from the Mayor by the Council, a motion for reconsideration may be made by any member who voted in the majority on the original question or the matter may be referred to committee by the Speaker.

9.180. Debate - The chairperson of the committee reporting, or his or her designee, shall have the option to open debate. Upon the announcement by the presiding officer that debate is